

*AMENDMENTS TO THE CLAIMS*

This Listing of Claims will replace all prior versions, including listings, of claims in the application.

***Listing of Claims***

Claims 1-24 (canceled).

Claim 25 (currently amended): A seed, seedling or plant comprising a polynucleotide which comprises a ~~heterologous~~ promoter operatively linked to a nucleic acid sequence encoding abscisic acid insensitive 5 (ABI5), said promoter selected from the group consisting of a constitutive promoter, an inducible promoter and a derepressible promoter.

Claim 26 (currently amended): The seed, seedling or plant of claim 37 25 wherein said promoter is a constitutive promoter.

Claim 27 (currently amended): The seed, seedling or plant of claim 37 25 wherein said promoter is an inducible promoter.

Claim 28 (previously presented): The seed, seedling or plant of claim 25 wherein said seed, seedling or plant overproduces ABI5 in comparison to an untransformed plant.

Claim 29 (previously presented): The seed, seedling or plant of claim 25 wherein said seed, seedling or plant is hypersensitive to abscisic acid in comparison to an untransformed plant.

Claims 30-37 (canceled).

Claim 38 (currently amended): The seed, seedling or plant of claim 37 25 wherein said promoter is a derepressible promoter.

Claim 39 (new): The seed, seedling or plant of claim 26 wherein said seed, seedling or plant overproduces ABI5 in comparison to an untransformed plant.

Claim 40 (new): The seed, seedling or plant of claim 26 wherein said seed, seedling or plant is hypersensitive to abscisic acid in comparison to an untransformed plant.

Claim 41 (new): The seed, seedling or plant of claim 27 wherein said seed, seedling or plant overproduces ABI5 in comparison to an untransformed plant.

Claim 42 (new): The seed, seedling or plant of claim 27 wherein said seed, seedling or plant is hypersensitive to abscisic acid in comparison to an untransformed plant.

Claim 43 (new): The seed, seedling or plant of claim 37 wherein said seed, seedling or plant overproduces ABI5 in comparison to an untransformed plant.

Claim 44 (new): The seed, seedling or plant of claim 37 wherein said seed, seedling or plant is hypersensitive to abscisic acid in comparison to an untransformed plant.